

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JUAN TELLEZ ROCHA, *et al.*,

§

Plaintiffs,

§

v.

§ CIVIL ACTION NO. H-09-3044

8 U V INC. dba Hartz Chicken, *et al.*,

§

Defendants.

§

ORDER APPROVING SETTLEMENT

The plaintiffs, Juan Tellez Rocha, Ma Silvia Lozano, A. David Lozana, and Ines Oviedo, sued 8 U V. Inc. dba Hartz Chicken *et al.*, alleging that the defendants did not pay overtime to hourly employees who worked more than 40 hours in a work week, in violation of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.* The plaintiffs and defendants have agreed to settle their claims in exchange for dismissal of this case, with prejudice. The settlement is limited to the FLSA claims of the four employee plaintiffs. Counsel for the plaintiffs and defendants appeared and stated on the record the settlement terms and conditions. Based on the record, the terms and conditions of the settlement, and the applicable law, this court grants the motion to approve the settlement and dismiss this case. There are genuine disputes over the amount, if any, of backpay, liquidated damages, and attorney’s fees due. This court has reviewed the settlement agreement and finds that the amounts to be paid to the plaintiffs and the amount of attorney’s fees provided for in the settlement agreement are fair and reasonable. This court approves the proposed settlement as a fair and reasonable compromise of a bona fide dispute under the FLSA. The motion to approve the settlement is granted.

Final judgment is entered by separate order.

SIGNED on December 23, 2009, at Houston, Texas.


Lee H. Rosenthal
United States District Judge